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MEMO ENDORSED
P.2

MICHAEL L. SOSHINICK

**OF COUNSEL
JOHN LAWRENCE**

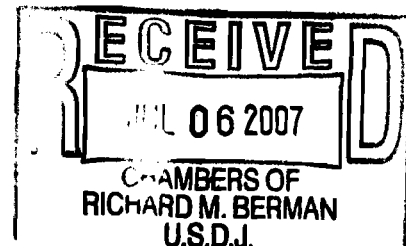
TEL (516) 294-1111

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July 6, 2007

VIA FAX: (212) 805-6717

Judge Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

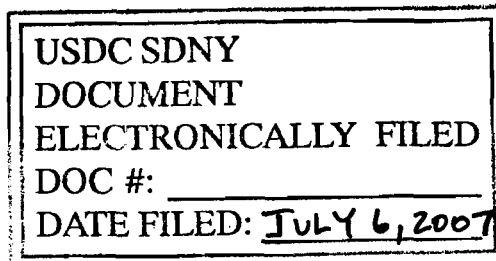
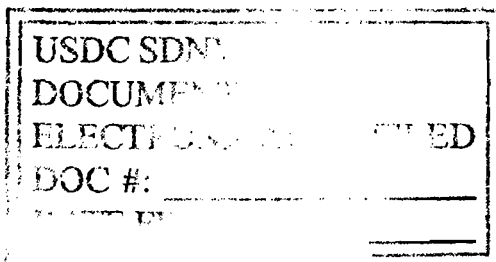


**Re: United States v. Jeffery G. Musumeci
07 Cr. 402 (RMB)**

Dear Judge Berman:

I am the attorney for the defendant in the above-captioned case. Following the defendant's arraignment, the court directed the parties to file proposed jury instructions on or before July 6, 2007 and scheduled a status conference for July 9, 2007. I just received the government's proposed jury instruction on Monday, July 2, 2007. Additionally, My secretary is on a family vacation in Colorado this week and will not be returning to the office until Tuesday, July 10, 2007.

Inasmuch as July 4, 2007 was a holiday and this has been a relatively short week, I am requesting that the parties be given until July 13, 2007 to submit our proposed jury instructions and that the status conference previously scheduled for July 9, 2007 be adjourned to July 16, 2007 at 1:00 P.M.



Page 2

The trial date in this case is currently scheduled for September 17, 2007. Accordingly, the court will have approximately two months to review the proposed jury instructions prior to the trial. I have discussed this request with Assistant United States Attorney Adam S. Hicky who has consented to the one week adjournment for submission of the proposed jury instructions and to the rescheduling of the status conference to July 16, 2007 at 1:00 P.M. or to such other time and/or date that may be convenient to the court.

Thank you.

Respectfully submitted,



Michael L. Soshnick

MLS:eg

cc: Adam S. Hicky
Assistant United States Attorney
VIA FAX (212) 637-6717

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| <u>APPLICATION GRANTED. CONFERENCE</u> | |
| <u>IS ADJOURNED UNTIL 7/16/07 AT</u> | |
| <u>11:30 A.M.</u> | |
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| SO ORDERED: | <u>Richard M. Berman</u> |
| Date: <u>7/6/07</u> | |
| Richard M. Berman, U.S.D.J. | |